

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LEONARD JOHN SUNDSMO,

Plaintiff,

v.

ORDER

DEREK BURCH, MIKE PICHLER,
MARK R. SCHAUF and RYAN LABROSCIAN,

15-cv-2-jdp

Defendants.

Plaintiff Leonard John Sundsmo brought claims against law enforcement officials from the city of Baraboo, Sauk County, and state of Wisconsin for an allegedly illegal search and arrest on November 4, 2014. I dismissed all of Sundsmo's claims in a series of orders. *See* Dkt. 117, 169, & 171.

Now Sundsmo has filed a document titled "Objection to [the] Order to Dismiss" Dkt. 175. I will consider this motion as one to alter or amend the judgment under Federal Rule of Civil Procedure 59. To prevail on a motion for reconsideration under Rule 59, a petitioner must present newly discovered material evidence or establish a manifest error of law or fact. *Oto v. Metro. Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000). "Rule 59 is not a vehicle for rearguing previously rejected motions" *Id.*

I will deny the motion because Sundsmo fails to point to any new evidence or manifest error. The vast majority of his brief is spent discussing issues the court has previously determined to be completely devoid of merit, such as that defendants' attorneys' electronic signatures are invalid, that the attorneys are impermissibly testifying to matters of which they have no personal knowledge, and that defendants' filings are invalid because their attorneys must be registered under the Foreign Agents Registration Act.

The only other argument he raises is that I impermissibly “led” defendant Burch into withdrawing his argument that he was improperly served, by making clear that if he did so, I would grant him summary judgment on the substantive claims against him given that I had already granted summary judgment in favor of the other defendants. *See* Dkt. 169, at 10-12. This guidance was not improper because it was an accurate restatement of the choices facing Burch. Burch retained the right to challenge service, but he chose to forgo the service argument because I had already ruled that the facts presented at summary judgment showed that defendants did not violate Sundsmo’s rights during the arrest. Sundsmo does not raise any arguments now suggesting that the substance of that ruling was incorrect.

ORDER

IT IS ORDERED that plaintiff Leonard John Sundsmo’s motion to alter or amend the judgment, Dkt. 175, is DENIED.

Entered April 17, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge